

YOUR RIGHT TO APPEAL

(DELINQUENCY)

What is an appeal?

An appeal is the way to ask if the juvenile court made a big legal mistake in your case. An appeal is decided by the appeals court. The appeals court will not change your case or give you a chance to re-do your case unless the juvenile court made a big legal mistake in your case.

What happens if you appeal?

An appeal takes a long time: It usually takes half a year or longer. While waiting for an appeal to finish, you still have to do what the judge ordered. For example, if you are sent to Adobe Mountain, you still have to go to Adobe Mountain while waiting for the appeal to finish. If you are ordered pay restitution, you still have to pay: The court will hold the money until the appeal is finished.

How does an appeal work?

The appeals court checks over what happened in juvenile court to see if the judge made a big legal mistake. To do this, the appeals court looks at the legal papers and transcripts. Transcripts are written “scripts” of everything that was said in court. The appeals court will not look at anything new: The appeals court looks only at what already was done in juvenile court.

When the appeals court checks for a legal mistake, it looks at the following. Did the court do something that the law does not allow? Did the court use the wrong law? Did the court misunderstand the law? Did the court find that you committed an offense without any evidence of part of that offense? The appeals court views the evidence in the light most favorable to upholding the ruling of the court. The appellate court will not reweigh the evidence; instead it will see if there is any evidence to support the finding of the judge.

If there was a legal mistake, the appeals court checks to see if the mistake was big. If the case would have turned out the same even without the mistake, then the mistake is small or harmless, and nothing will change. If the mistake was big enough to change the whole case, things might change: The appeals court might vacate (undo or cancel) what the juvenile court did, or the appeals court might let the person re-do the case.

When can you appeal?

You can appeal within 15 days of when your case ends. This means that you have to wait until after adjudication (“conviction” or admission) and disposition (“sentencing”). If you wait longer than 15 days, you cannot appeal.

Who decides if you will appeal?

You are the one who decides if you want to appeal or not.

If you want to appeal, sign below.

Contact your attorney within 15 days of your disposition hearing and let him or her know you would like to appeal your case.